State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Ohio **Enforcement Information Request letter** from PM sent to: The Honorable George Volnovich Governor cc's to Peter Somani, Director, Dept. of Health Ronald E. Sherwood Coordinator, Tobacco Risk Reduction Program Dept. of Health Response 1/17: From Luceille Fleming, Dept of Alcohol & Drug Addiction Services. Responsible for compliance checks. Contact Scott Brown, Div. of Prevention & Training, or Ronald Sherwood. Follow-up letter sent to Sherwood 2/29. Response 3/18: From Somani, Dept of Health. No central tracking, handled locally.	Year Round Carryover bill from 1995, H299. **H299** 1/10/96--House Local Government Cmte reported to floor (13-1).	As passed cmte... • Minors purchase prohibited. • Employee training and certification • Requires proof of age if seller believes purchaser is under 18 • Affirmative defenses • Requires warning sign • Unannounced inspections by local law enforcement with minors. (Local health depts may assist.) No citations issued unless law enforcement there. • Uniformity-sale, distribution, use, display, promotion • Sampling ban within 500 ft of schools. • Requires cigarettes/ smokeless to be in manufacturer's packaging	**License**--County Treasurer, Annual $30. (Sec 5743.15) **No provision** **Sale to Minors**--4th Degree misdemeanor fine up to $250 and/or up to 30 days of jail for 1st offense, 3rd degree misdemeanor, fine up to $500 and/or up to 60 days jail for subsequent. (Sec 2927.02) **Minimum Age = 18** **No provision** **Warning sign required** (Sec 2927.02) **No provision** **Vending**--Immediate vicinity and in plain view. (SB 40, 1991; Sec 2927.02) **No provision**	• **License** • **Revocation** • **Enforcement** • **Minimum Age** • **Proof of Age** • **Post Signs** • **Reporting** • **Vending** • **Line of sight** • **Other**

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Pennsylvania **Enforcement Information Request letter** from PM sent to: Mary Crowley Chief Miscellaneous Tax Division Dept. of Revenue 11th Fl., Strawberry Sq. Harrisburg, PA 17120 Frank Stasenko Dept. of Revenue 11th Floor, Strawberry Sq. Harrisburg, PA 17120 Response 1/12: Crowley--Enforce cigarette tax statutes only. Enforcement of sales, a criminal penalty, is by state & local police. No knowledge of central information sight. Follow-up letter sent to Crowley 2/29	1/9-12/31/96 **H2190** Carryover H2190 was referred to House Finance Cmte in 1995 on 11/1/95. Bill has received no action in 1996.	• Employee-$25 for 1st offense, $100 for 2nd, 3rd degree misdemeanor for subsequent. Minors' purchase-$50 & 25 hrs comm. serv., $50 & 50 hrs comm. serv. for 2nd in 1 yr. • Requires proof of age if believed to be under 18 • Affirmative defense • Warning signs • Unannounced inspections by county district attorneys with minors • Require supervision & lock-out device on machines or restricts to places inaccessible to minors • Uniformity-sale, distribution, promotion, display • Ban sampling within 500 ft of schools	**License**--Dept of Revenue, Annual $5 (Title 72, Sec 8221(a), 8227(a), 8271(a), 8201) **No provision** **Sale to Minors**--Summary offense with a fine of at least $25 for 1st offense, at least $100 for subsequent. (Title 18, Sec6305(a) & (b)) Purchase by minors prohibited-same as above. **Minimum Age = 18** **No provision** **No provision** **No provision** **No provision**	• **License** • **Revocation** • **Enforcement** • **Minimum Age** • **Proof of Age** • **Post Signs** • **Reporting** • **Vending** • **Line of sight** • **Other**

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Wisconsin **Enforcement Information Request letter** from PM sent to: The Honorable Tommy G. Thompson, Governor State Capitol 115 East Ave P.O. Box 7863 Madison, WI 53707 Response 1/26: From Richard Lorang, Deputy Secretary, Dept of Health & Social Services. No tracking system for convictions. New statewide database of retail licenses located in Bureau of Substance Abuse Services, 1 West Wilson St., Rm 434, P.O. Box 7851, Madison, WI 53707-7851. Continued next page	1/9-12/31/96 Awaiting introductions		**License**--Dept of Revenue issued through the municipal clerk. Annual $50. (Sec 50.51(1) & (2), 139.30, 139.34) **License suspended** for 3 days for 2nd offense, 3-10 days for 3rd offense, 15-30 days for 4th offense within 1 year. (SB155, 1991, Sec 48.983(2)(a) & (3)) **Sale to Minors**--Fine up to $500 for 1st offense in 1 year, $200-500 and/or license suspended for 3 days for 2nd offense within 1 year, license suspension for 3-10 days for 3rd offense, 15-30 days for 4th offense within 1 year. (SB 155, 1991; Sec 48.983(2)(a) & (3)). Purchase and possession by minors prohibited-same **Minimum Age = 18** **Affirmative Defense**--Defense if retailer asked for "identification card" and person appeared to be at least 18. (SB 155, 1991; Sec 48.983(2)(a) & (3))	• **License** • **Revocation** • **Enforcement** • **Minimum Age** • **Proof of Age**

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Wisconsin (Continued) Follow-up letter sent to Lorang 2/29. Response 3/14: Regs do not require tracking system. Info available from local enforcement & courts.			**Warning sign required** (Sec 134.66(2)(b)(1) & (2)(b)(2)) **No provision** **Vending**--Prohibits within 500 feet of schools. (Act 95, SB 155, 1991; Sec 134.66) **No provision** **State law requires local restrictions** to strictly conform to this section. (Sec 48.983(5)) **Prohibits sale of cigarettes without package/container with tax stamp.** (Act 312, AB 295, 1994)	• **Post Signs** • **Reporting** • **Vending** • **Line of sight** • **Other**

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Montana **Enforcement Information Request letter** from PM sent to: The Honorable Marc Racicot Governor Capitol Station Helena, MT 59620 Response 12/27: Information requested available through Board of Crime Control. Letter was forwarded to Kathy Kendall with the Board of Crime Control for review and additional response. Follow-up letter sent to Kendall 2/29	No Regular Session	• No session	**License**--Dept of Revenue, Ann $5. (HB 548, 1993; Sec 16-11-102(2), 16-11-120 & 121, 16-11-132, 16-11-148) **License suspended** for 3 months for 6th offense in 3 years, for 1 year for 7th offense in 3 years. (HB 539, 1995; HB 548, 1993; Sec 16-11-308) **Sale to Minors**--Employee fine is $25 for each offense. Owner, 1st-3rd offense in 3-year period--verbal notice, 4th--written notice, 5th--$500 education fee, 6th--suspension of license for 3 months, 7th in 3-year period--suspension for 1 year. (HB 539, 1995; HB 548, 1993; Sec 16-11-308) Possession or consumption by minors prohibited. **Minimum Age = 18** **Requires proof of age** from driver's license or other ID with picture if reasonable doubt of purchaser's age. (HB 539, 1995; HB 548, 1993; Sec 16-11-308) **Warning sign required**--Provided by Dept of Revenue (HB 539, 1995; HB 548, 1993; Sec 16-11-304)	• **License** • **Revocation** • **Enforcement** • **Minimum Age** • **Proof of Age** • **Post Signs**

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Montana (Continued)			**Unannounced Inspections**--Dept of Corrections & Human Services (HB 539, 1995) **Vending**--Direct supervision **No provision** **State law prohibits local restrictions** more stringent than state law. (HB 548, 1993) **Requires manufacturer's original package with federal warning.** (HB 539, 1995; HB 548, 1993; Sec 16-11-307)	• **Reporting** • **Vending** • **Line of sight** • **Other**

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Nevada **Enforcement Information Request letter** from PM sent to: John Albrecht Deputy Attorney General, Office of the Attorney General, Capitol Complex, Carson City, NV 89710 Response 1/8: Has no method of tracking convictions. Understand it is not required under proposed regs for SAMSHA. Maintaining list of stores where someone was "charged" and list where inspections conducted and no charges. Willing to share those lists upon request. Follow-up PM letter sent to Albrecht 2/29 Response 3/13: Federal law does not require a tracking system. Can provide list of stores inspection held and violation occurred.	No Regular Session	• No session	**License**--Dept of Taxation, no fee (Sec 370.015, 370.033, 370.080) **No provision** **Sale to Minors**--Fine of up to $500. (AB 622, 1995; Sec 237, 238, 202.010) **Minimum Age = 18** **No provision** **No provision** **Unannounced Inspections**--Attorney General along with local law enforcement and other "contract" groups. (AB 622, 1995) **Vending**--Prohibits in public elevators; public waiting areas, lobbies or hallways of medical care facilities; public buses; school buses. (SB 421, 1993; Chapter 202) **No provision** **State law supersedes local restrictions** on smoking, use, sale, distribution, marketing, display and promotion. (AB 622, 1995) **Requires manufacturer's original packaging with federal warning**. (AB 622, 1995) **Requires notification of intent to sell in packs less than 20**. (Sec 370.315)	• **License** • **Revocation** • **Enforcement** • **Minimum Age** • **Proof of Age** • **Post Signs** • **Reporting** • **Vending** • **Line of sight** • **Other**

As of March 25, 1996 -- 11:00 am

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
North Dakota **Enforcement Information Request letter** from PM sent to: Bob Hanson State Tax Commissioner Office of State Tax Commissioner 600 E. Blvd. Bismarck, ND 58505-0599 2nd letter sent to Hanson 2/29	No Regular Session	• No session	**License**--Tax Commissioner, Annual $25. (Sec 57-36-01(4), 57-36-02) **No provision** **Sale to Minors**--Class B misdemeanor with fine of $500 and/or imprisonment for 30 days. (Sec 12.1-31-03(1) & (2), 12.1.32-01(6)) Purchase and use by minors prohibited. **Minimum Age = 18** **No provision** **No provision** **No provision** **No provision** **No provision**	• **License** • **Revocation** • **Enforcement** • **Minimum Age** • **Proof of Age** • **Post Signs** • **Reporting** • **Vending** • **Line of sight**

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Oregon **Enforcement Information Request letter** from PM sent to: Jeffrey Kushner Assistant Director Office of Alcohol & Drug Abuse Dept. of Human Resources 500 Summer St., NE Salem, OR 97310-1016 Response 1/10: Correct Dept--Office of Alcohol & Drug Abuse, contact Dr. Clinton Goff. Will check with courts 3 months after ticket issued (convictions should be concluded at that time). Will provide clerk name, store name and address, final determination of citation. Requests copy of any actions PM takes. Response 3/19: From Kushner. Provides list of individuals and stores where convictions occurred.	No Regular Session	• No session	**No provision** **No provision** **Sale to Minors**--Fine of $100-500. (HB 3590, 1991; Sec 163-575(1)(d), 163-575(1)(e), 163-575(3)) Possession by minors prohibited-$100. **Minimum Age = 18** **No provision** **Warning sign required** (HB 3146, 1989; Sec 163.575, 431.840(1)(b) & (3)) **Unannounced Inspections**--Dept of Human Resources. (SB 453, 1993) **Vending**--Restricts to places inaccessible to minors. (HB 3590, 1991) **No provision** **State law prohibits local restrictions** on vending machines. (HB 3590, 1991; Sec 431.840) **Requires cigarettes to be in sealed package**. (HB 3146, 1989)	• **License** • **Revocation** • **Enforcement** • **Minimum Age** • **Proof of Age** • **Post Signs** • **Reporting** • **Vending** • **Line of sight** • **Other**

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Texas **Enforcement Information Request letter** from PM sent to: The Honorable George W. Bush Governor State Capitol, Room 25.1 Austin, TX 78701 2nd PM letter sent to Governor 2/29. Response 3/12: Local law enforcement responsible for smoking violations. Referred to Sharon Kohoute, Office of Smoking & Health, TX Cancer Council for minors information.	No Regular Session	• No session	**License**--State Treasurer, Annual permit, no fee. (SB 689, 1991; Sec 154.101(b), 154.001(14)) **No provision** **Sale to Minors**--Class C misdemeanor with fine up to $200. (Chapter 607, 1989; Civ. 4476-16) **Minimum Age = 18** **Affirmative Defense**--Provides for a defense if relied on driver's license or ID card with "physical description" and age. (Chapter 607, 1989; Civ. 4476-16) **Warning sign required**--Provided by Dept of Health (SB 689, 1991; Sec 154.101(b), 154.001(14)) **No provision** **No provision** **No provision**	• **License** • **Revocation** • **Enforcement** • **Minimum Age** • **Proof of Age** • **Post Signs** • **Reporting** • **Vending** • **Line of sight**

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State (By Adjourn. Date)	Legislative Status	Proposed 1996 Legislation	Current Law	AAA Legislative Objectives
Arkansas **Enforcement Information Request letter** from PM sent to: The Honorable Jim Guy Tucker Governor State Capitol Bldg Little Rock, AR 72201 Response 1/12: Received from Governor's Executive Asst. for Health referred letter to Dr. Sandra Nichols, Dir. of Dept. of Health saying she should be able to provide information. Follow-up letter sent to Nichols 2/29	No Regular Session	• No session	**License**--Dept of Finance & Administration, Annual $10 (Sec 26-57-203, 26-57-214(c), 26-57-301) **License suspended** for 2nd offense within 2-year period for 7 days, 3rd offense 1-6 months, subsequent offense within 2-year period 9 months. (Act 543, 1991; Sec 57-27-227) **Sale to Minors**--Misdemeanor with fine of $100 for 1st offense, for 2nd offense within 2-year period $250 fine and license suspension for 7 days, 3rd offense $500 fine and license suspension for 1-6 months, subsequent offense within 2-year period $1,000 fine and license suspension for 9 months. (Act 543, 1991; Sec 57-27-227) **Minimum Age = 18** **No provision** **Warning sign required** (Act 543, SB 184, 1991; Sec 5-27-227) **No provision** **Vending**--Constant supervision. (Act 543, SB 184, 1991; Sec 5-27-277) **No provision** **Localities authorized** to impose local license requirement and tax. (Sec 26-57-214 & 215)	• **License** • **Revocation** • **Enforcement** • **Minimum Age** • **Proof of Age** • **Post Signs** • **Reporting** • **Vending** • **Line of sight** • **Other**

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